



Dennis J. Duffin
Director

The Commonwealth of Massachusetts

*Office of
Campaign & Political Finance*

One Ashburton Place, Boston 02108

727-8352

AO-1-84

January 13, 1984

AO-84-1

Mr. Frank N. Costa
State Representative
House of Representatives
State House
Boston, MA 02133

Dear Representative Costa:

You have requested an opinion as to the propriety under G.L. c.55, the Massachusetts campaign finance law, of certain activities contemplated by you and the Committee to Elect Frank N. Costa State Representative.

In your letter you have stated the following: You wish to purchase a computer from your personal funds and locate it in your home office. You propose to use the computer system primarily for official business related to your state office. However, during election periods and fund-raising periods for election, you would allow use of the computer by the Committee to Elect Frank N. Costa State Representative. You propose to obtain a written statement of the fair market rental value of the computer system from the company you intend to purchase it from. During those periods when the computer is used primarily or solely for your political committee, you propose to treat such use as a personal contribution by you to the committee, with the amount of the contribution based on the fair market value of its use for the time period.

G.L. c.55, the Massachusetts campaign finance law, would not prohibit you from personally purchasing a computer system to be used in the manner stated. However, while you indicate that a contribution may occur at the time of primary or sole use of the computer by the political committee; any time that such an item is used by your political committee, it is then being used for political purposes. You will, therefore at those times be making a contribution to your political committee of something of value for the purpose of influencing your nomination or election to public office. It would be appropriate to determine the value of the contribution in the manner you have proposed, and it must be so disclosed on campaign finance reports filed with this office in accordance with c.55.

This opinion has been rendered solely on the basis of the facts and proposals represented by you. If you have any further questions please do not hesitate to contact me.

Very truly yours,

Dennis J. Duffin
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